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5 UNITED STATES DISTRICT COURT  
6 EASTERN DISTRICT OF WASHINGTON

7 UNITED STATES OF AMERICA, )  
8 Plaintiff, ) NO. CR-06-2156-WFN-1  
9 -vs- ) ORDER  
10 MARCO DELANO CARR, )  
11 Defendant. )  
12

13 A first pretrial conference, motion hearing and change of plea hearing was held  
14 December 7, 2006. The Defendant, who is in custody, was present and represented by Diane  
15 Hehir; Assistant United States Attorney Thomas Hanlon represented the Government.

16 The Court addressed Defendant's pending pretrial motions. A change of plea was  
17 subsequently entered.

18 The Court has reviewed the file and motions and is fully informed. This Order is  
19 entered to memorialize and supplement the oral rulings of the Court. Accordingly,

20 **IT IS ORDERED** that:

21 1. Defendant's Motion for Discovery, filed November 17, 2006, **Ct. Rec. 18**, is  
22 **DENIED AS MOOT**.

23 2. Defendant's Motion for Disclosure of 404(b) and 609 Evidence, filed  
24 November 17, 2006, **Ct. Rec. 20**, is **DENIED AS MOOT**.

25 3. The Defendant's Request for the Transcripts of Grand Jury Testimony, filed  
26 November 17, 2006, **Ct. Rec. 22**, is **DENIED AS MOOT**.

1 4. Defendant's Motion to Dismiss, filed November 17, 2006, **Ct. Rec. 24**, is  
2 **DENIED**. The Court determined that the underlying state conviction was a felony under the  
3 law of Washington state. 18 U.S.C. § 922(a)(20).

4 5. All time from the filing of Defendant's Motions on November 17, 2006, to the date  
5 of the hearing on December 7, 2006 is **EXCLUDED** for speedy trial calculations pursuant  
6 to 18 U.S.C. § 3161(h)(1)(F).

7 The District Court Executive is directed to file this Order and provide copies to  
8 counsel.

9 **DATED** this 7th day of December, 2006.

10  
11 s/ Wm. Fremming Nielsen  
12 WM. FREMMING NIELSEN  
12-07 SENIOR UNITED STATES DISTRICT JUDGE  
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